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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,016	07/31/2003	Saied Hussaini	8312.156	9527

7590 01/11/2007  
LINIAK, BERENATO & WHITE  
Suite 240  
6550 Rock Spring Drive  
Bethesda, MD 20817

EXAMINER
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SUTHERS, DOUGLAS JOHN

ART UNIT	PAPER NUMBER
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2615

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/631,016	<b>Applicant(s)</b> HUSSAINI ET AL.	
	<b>Examiner</b> Douglas Suthers	<b>Art Unit</b> 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2615.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (US 5190258) in view of Meisner et al. (US 5675426).
4. Regarding claim 1, Yu discloses an audio accessory system for use with a portable electronic device (such as a laptop computer, DVD player, or video game), said system comprising: two speakers (figure 1, items 15 and 15A), said speakers being individually rotatably mounted to a single common backing panel (support structure of 13), and, a base unit (electronics of 13), said base unit having at least one plug-in device (column 2 lines 55-56, input and output terminals) to communicate with said portable electronic device.

Yu does not expressly disclose a base unit being rotatably mounted to a backing panel.

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Meisner discloses speakers being individually rotatably mounted to a single common backing panel (10), and, a base unit (11) being rotatably mounted to said backing panel (column 5 line 19).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the speaker placement of Meisner with the system of Yu. The motivation for doing so would have been to automatically turn the speakers toward the user when the screen is turned. Therefore, it would have been obvious to combine Meisner with Yu to obtain the invention as specified in claim 1.

5. Regarding claim 2, Yu discloses wherein said base unit includes at least two 1 plug-in devices (column 2 lines 55-56, input and output terminals).

6. Regarding claim 3, Yu discloses wherein said base unit has at least one pass-through port (audio input to speaker output) to facilitate communication between the portable electronic device and an auxiliary accessory (speaker) while said audio accessory is connected to said portable electronic device.

7. Regarding claim 4, Yu discloses wherein said base unit has at least two pass-through ports (left and right).

8. Regarding claim 5, Yu discloses wherein said speakers have an extreme vertical position (shown in figure 8) that is perpendicular to said backing panel, and an extreme

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lateral position (90 degrees from figure 8) that is axially aligned with said backing panel, said speakers being movable to any position between said extreme vertical and extreme lateral positions (figure 8).

9. Regarding claim 6, Yu discloses wherein said system has two locking positions (full forward and full backward, figures 3 and 4).

10. Regarding claim 7, Yu discloses wherein said locking positions include an installed position (full forward, bottom of figure 4B) and a stored position (full backward, top of figure 3), said installed position comprising the position in which said system is installed in said portable electronic device, and said stored position wherein said system in said stored position has a narrower profile than said system in said installed position.

11. Regarding claim 8, although Yu does not expressly disclose a range of motion of greater than one hundred eighty degrees, it would have been obvious to have frame 22 have recesses 23 that allow for greater range of motion. The motivation to do so would have been to allow for a greater number of possibilities in speaker and listener positions. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to further comprise wherein said system is changed from said installed position to said stored position by rotating in excess of one hundred eighty degrees.

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12. Regarding claim 9, Meisner discloses wherein said backing panel is parallel with said base unit when said system is in said stored position (horizontal planes are parallel).

13. Regarding claim 10, Yu discloses wherein said speakers are rotatable in either the stored or installed positions (figure 8).

14. Regarding claim 11, although not disclosed, the examiner takes official notice that it is general knowledge that people may place items on top of video monitors for unit placement. The motivation would have been to save space or to save time in unit placement. Given this it would have been obvious to further comprise wherein, in said stored position, said backing panel and said speakers are vertically aligned with said portable electronic device (vertical axes aligned).

15. Regarding claim 12, although not disclosed, the examiner takes official notice that it is general knowledge that people may place items on top of video monitors for unit placement. The motivation would have been to save space or to save time in unit placement. Given this it would have been obvious to further comprise wherein said speakers and said backing panel are underneath said portable electronic device in said stored position.

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16. Regarding claim 13, Yu discloses wherein said speakers rotate in a plane perpendicular (vertical) to said base unit plane of rotation (horizontal).

17. Regarding claim 14, although not expressly disclosed, the need to protect and stabilize fragile electronic devices was well known in the art. The motivation to do so would have been to protect the units from damage and insure the unit does not get disconnected. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to further comprise locking tabs on said base unit, said tabs engaging said portable electronic device to ensure that said system remains connected to said portable electronic device.

18. Regarding claim 15, Yu discloses a speaker system for a video amusement device (such as a laptop computer, DVD player, or video game), said system comprising: two speakers (figure 1, items 15 and 15A), said speakers being individually rotatably mounted to a single common backing panel (support structure of 13), and, a base unit (electronics of 13), said base unit having two electrical plug-in devices (column 2 lines 55-56, input and output terminals) for communicating with said video amusement device, wherein said base unit has at least two pass-through ports (left and right) wherein similar or identical electronic devices or auxiliary accessories can be attached, said system having an installed locking position (full forward), and a stored locking position (full backward).

Yu does not expressly disclose a base unit being rotatably mounted to a backing panel.

Meisner discloses speakers being individually rotatably mounted to a single common backing panel (10), and, a base unit (11) being rotatably mounted to said backing panel (column 5 line 19).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the speaker placement of Meisner with the system of Yu. The motivation for doing so would have been to automatically turn the speakers toward the user when the screen is turned. Therefore, it would have been obvious to combine Meisner with Yu to obtain the invention as specified in claim 15.

19. Regarding claim 16, Yu discloses wherein said speakers have an extreme vertical position (shown in figure 8) that is perpendicular to said backing panel, and an extreme lateral position (90 degrees from figure 8) that is axially aligned with said backing panel, said speakers being movable to any position between said extreme vertical and extreme lateral positions (figure 8).

20. Regarding claim 17, Yu discloses wherein said system in said stored position has a narrower profile than said system in said installed position (system would be more narrow side to side).



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21. Regarding claim 18, although not disclosed, the examiner takes official notice that it is general knowledge that people may place items on top of video monitors for unit placement. The motivation would have been to save space or to save time in unit placement. Given this it would have been obvious to further comprise wherein said portable electronic device is vertically aligned with said speakers and said backing panel when said system is in said stored position (vertical axes aligned).

22. Regarding claim 19, although not disclosed, the examiner takes official notice that it is general knowledge that people may place items on top of video monitors for unit placement. The motivation would have been to save space or to save time in unit placement. Given this it would have been obvious to further comprise wherein said speakers and said backing panel are underneath said portable electronic device in said stored position.

23. Regarding claim 20, although Yu does not expressly disclose a range of motion of greater than one hundred eighty degrees, it would have been obvious to have frame 22 have recesses 23 that allow for greater range of motion. The motivation to do so would have been to allow for a greater number of possibilities in speaker and listener positions. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to further comprise wherein said system is changed from said installed position to said stored position by rotating in excess of one hundred eighty degrees.

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24. Regarding claim 21, Meisner discloses wherein said backing panel is parallel with said base unit when said system is in said stored position (horizontal planes are parallel).

25. Regarding claim 22, Yu discloses wherein said speakers are rotatable in either the stored or installed positions (figure 8).

26. Regarding claim 23, Yu discloses wherein said speakers rotate in a plane (vertical) perpendicular to said base unit plane of rotation (horizontal).

27. Regarding claim 24, although not expressly disclosed, the need to protect and stabilize fragile electronic devices was well known in the art. The motivation to do so would have been to protect the units from damage and insure the unit does not get disconnected. Therefore at the time of invention, it would have been obvious to one of ordinary skill in the art to further comprise locking tabs on said base unit, said tabs engage said portable electronic device to ensure that said system remains connected to said portable electronic device.

### ***Conclusion***

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28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Suthers whose telephone number is (571)272-0563. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

djs



VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600